



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/986,602

11/09/2001

Franck Le

60282.00330

5998

32294

7590

12/15/2006

SQUIRE, SANDERS & DEMPSEY L.L.P.

14TH FLOOR

8000 TOWERS CRESCENT

TYSONS CORNER, VA 22182

EXAMINER

HOANG, THAI D

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 12/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/986,602

Applicant(s)

LE ET AL.

Examiner

Thai D. Hoang

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-38 and 40-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 28-38, 40-46, 48 and 55 is/are allowed.
- 6) ☒ Claim(s) 47 and 49-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10/20/2006.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

Examiner submits that Applicants have used broad language, such as "configured to," in amended claims 47 (line 9), 49 (line 9), 50 (line 9), 51 (line 9), 52 (line 9), 53 (line 9) and 54 (line 9), where such language does not require limitations following the phrase. As such, Examiner submits that the independent claims 47 and 49-54, do not require the recited limitations following the phrase "configured to." Therefore, the limitations occur after the phrase "configured to" are not considered for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 47 and 49-54 are rejected under 35 U.S.C. 102(e) as being unpatentable by Crosbie, US Patent Application Publication 2002/0085719 A1.

Regarding claims 47 and 49-54, Crosbie discloses a Method and system for enabling centralized control of wireless local area networks. Crosbie teaches the system comprises:

a network 20, wherein a roaming server using Bluetooth device address BD_ADDR (permanent network address), and active member of a piconet address

AM_ADDR (temporary network address). In another example, when the system is implemented for an IEEE 802.11 wireless technology, the Crosbie's system using a MAC address (permanent network address), and Association Identifier address AID (temporary network address); paragraph [0049] (at least a first communication network wherein a respective node communicating via said communication network system is identified by its permanent network address and addressable by a temporary network address)

a roaming server 22; see figure 2 (at least one server entity)

a plurality of access point 24s; see figure 2 (a plurality of agent entities)

Crosbie teaches that when the device is roaming, the roaming server 22 directs the access point 24-2 to establish a relationship or connection 30-2 with the subject mobile device 26. The roaming server 22 must have some indication from the access point 24-2 that the mobile device 26 is moving within range of that access point 24-2. It indicates that the roaming server has a record of the plurality of access points and their location in the network 20; paragraph [0041] (each of said at least one server entity maintains a record of said plurality of agent entities and their location within the network system.)

Allowable Subject Matter

Claim 55 is allowed.

The following is an examiner's statement of reasons for allowance:

A communication network system, comprising:

at least a first communication network, wherein a respective node communicating via said communication network system is identified by its permanent network address and is addressable by a temporary network address;

at least one server entity;

a plurality of agent entities, wherein each of said at least one server entities maintains a record of said plurality of agent entities and their respective location within the network system;

database means for maintaining a record of said plurality of agent entities and their respective location within said communication network system; and

processing means for selecting a specific one of said plurality of agent entities, based on data maintained in said record and a temporary network address of a requesting terminal node as recited in claim 55.

Claims 28-38, 40-46 and 48 are allowed for reasons given in the previous action.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai D. Hoang whose telephone number is (571) 272-3184. The examiner can normally be reached on Monday-Friday 10:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on (571) 272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thai Hoang



DORIS H. TO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600